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In re Application of :  
ALMIRANTE et al. :  
U.S. Application No.: 10/566,292 : DECISION ON PETITION  
PCT No.: PCT/EP04/51550 : UNDER 37 CFR 1.47(a)  
Int. Filing Date: 20 July 2004 :  
Priority Date: 31 July 2003 :  
Attorney Docket No.: 026220-00073 :  
For: ANGIOTENSIN II RECEPTOR :  
BLOCKER DERIVATIVES :  
:

This decision is issued in response to applicants' "Petition under 37 CFR 1.47(a)" filed 06 June 2006 to accept the application without the signature of joint-inventor, Piero Del Soldato.

BACKGROUND

On 20 July 2004, applicants filed international application PCT/EP04/51550 which claimed a priority date of 31 July 2004. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 10 February 2005. Pursuant to 37 CFR 1.495, the thirty-month period for paying the basic national fee in the United States expired at midnight on 31 January 2006.

On 27 January 2006, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, *inter alia*: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); a preliminary amendment; and a declaration executed by two of the three joint-inventors.

On 08 May 2006, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 06 June 2006, applicants filed the present petition under 37 CFR 1.47(a).

### DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17, (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor.

A review of the papers filed 27 January 2006 and 06 June 2006 reveals that petitioner has paid the requisite petition fee, provided sufficient proof that the non-signing inventor (Piero Del Soldato) refused to sign, stated the last known address of the non-signing inventor (Piero Del Soldato), and provided an acceptable declaration. Accordingly, all of the requirements of items (1), (2), (3), and (4) above have been satisfied.

### CONCLUSION

The petition under 37 CFR 1.47(a) is **GRANTED**.

The application will be given an international filing date of 20 July 2004 under 35 U.S.C. 363, and a date of **27 January 2006** under 35 U.S.C. 371(c).

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the nonsigning inventor at his last known address of record. A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office for processing in accordance with this decision.

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